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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,684	09/12/2002	Tomoko Ohtsuki	112162	9272

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PO Box 19928
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EXAMINER

RODRIGUEZ, ARMANDO

ART UNIT PAPER NUMBER

2828

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,684

Applicant(s)

OHTSUKI, TOMOKO

Examiner

ARMANDO RODRIGUEZ

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-25,27-33,35-39,41-45,47-51,53-57 and 59-63 is/are allowed.
- 6) ☒ Claim(s) 26,34,40,46,52,58 and 64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7-14-2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on July 14, 2004 has been entered.

Information Disclosure Statement

The information disclosure statement filed July 14, 2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the information disclosure statement does not comply with 37 CFR 1.98 (3) (ii), no English language translation of a non-English language document or portion thereof has submitted for the crossed-out document. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Claim Objections

Claims 26,34,40,46,52,58 and 64 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 26,34,40,46,52,58 and 64 recite the light source of their respective parent claim and do not recite any limitation to further limit the light source but only labels the light source as a test device and only recites an intended use.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 26,34,40,46,52,58 and 64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 26,34,40,46,52,58 and 64,

It is not within the claim language if applicant intends to claim an apparatus as in the parent claims or a process in a manufacturing device as implied in the dependent claims, therefore the dependent claims are ambiguous.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 1-25,27-33,35-39,41-45,47-51,53-57 and 59-63 are allowed. After reviewing applicant's amendment and conducting an updated search of none of the

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searched prior arts alone or in combination discloses the claimed laser with the recited structural combination of independent claims 1,2,5,9,11,13,17.

Regarding claims 1,19-25,27,28,

None of the searched prior arts discloses the structural combination of independent claim 1, having a laser light generator, an optical fiber amplifier and in particular having a plurality of nonlinear crystals for wavelength converting with a plurality of temperature controllers for tune phase matching angles at the time of wavelength conversion and generating ultraviolet light.

Regarding claims 2-4,29-33,

None of the searched prior arts discloses the structural combination of independent claim 2, having a laser light generator, an optical fiber amplifier and in particular having a plurality of nonlinear crystals for wavelength converting and generating ultraviolet light.

Regarding claims 5-8,35-39,

None of the searched prior arts discloses the structural combination of independent claim 5, having a laser light generator, an optical fiber amplifier and in particular having a plurality of nonlinear crystals for wavelength converting and generating ultraviolet light.

Regarding claims 9,10,41-45,

None of the searched prior arts discloses the structural combination of independent claim 9, having a laser light generator, an optical fiber amplifier and in

particular having a plurality of nonlinear crystals for wavelength converting and generating ultraviolet light.

Regarding claims 11,12,15,16,47-51,

None of the searched prior arts discloses the structural combination of independent claim 11, having a laser light generator, an optical fiber amplifier and in particular having a plurality of nonlinear crystals for wavelength converting generating ultraviolet light and a plurality of relay optical systems.

Regarding claims 13,14,53-57,

None of the searched prior arts discloses the structural combination of independent claim 13, having a laser light generator, a plurality of optical fiber amplifier a nonlinear crystal for wavelength converting generating ultraviolet light and anisotropic optical system.

Regarding claims 17,18,59-63,

None of the searched prior arts discloses the structural combination of independent claim 17, having a laser light generator, an optical fiber amplifier and in particular having a plurality of nonlinear crystals for wavelength converting and generating ultraviolet light.

Claims 26,34,40,46,52,58 and 64 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARMANDO RODRIGUEZ whose telephone number is 571-272-1952. The examiner can normally be reached on 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MINSUN HARVEY can be reached on 571-272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ARMANDO RODRIGUEZ
Examiner
Art Unit 2828

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